

*Circulate*COMPTROLLER GENERAL OF THE UNITED STATES
Washington 25

B-106788

December 28, 1951

Mr. F. D. Peters, Authorized Certifying Officer
Office of Price Stabilization
Economic Stabilization Agency

Dear Mr. Peters:

Reference is made to your letter of November 29, 1951, file 2933/FDP, transmitting a reclaim voucher in the amount of \$38.25, stated in favor of Willard L. Levy, consultant, Office of Price Stabilization, representing excess travel costs, including per diem, administratively suspended on voucher No. 189358, of the August 1951 accounts of Paul D. Banning, and requesting a decision as to whether said reclaim voucher legally may be certified for payment.

It appears that Mr. Levy's home is in St. Louis, Missouri, and that he is serving without compensation but is authorized to receive \$15 per diem in lieu of subsistence while in a duty status away from his official residence. It is noted that pursuant to official orders issued during June 1951, he traveled from St. Louis to Washington, D. C., by air on or about June 17, and returned to St. Louis by first-class rail and Pullman (roomette) at 1:30 p.m., July 1, 1951. Your letter indicates that a round-trip ticket for air travel was purchased with a Government transportation request and that the return (unused) portion thereof was turned in for cancellation and credit, and that first-class rail fare with Pullman (roomette) was purchased by the traveler with personal funds. The sum suspended represents the difference between the reported cost of performing said travel, including per diem, using one way air and rail tickets, and the reported cost for such travel, including per diem, had the traveler utilized the round-trip air ticket for the entire journey.

The reclaim voucher contains the following statement:

"I stayed in Washington, D. C. longer than usual that week because I was not well, and it was also for reasons of health that I took the train rather than the plane. In further explanation of this latter statement, I feared that flying would cause a congestion in my ear, which might have made for a prolonged illness."

Under paragraph 16 of the Standardized Government Travel Regulations, a traveler is required to purchase a reduced rate round-trip ticket when "practicable and economical" and in the absence of an official justification for nonuse of any portion thereof, such ticket should be used in its entirety. The general rule is that regardless of the mode of travel used, an employee may be allowed only the cost of a round-trip ticket

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via the mode of transportation used in the going trip. However, where, as here, it is stated that the failure to utilize the return portion of the round-trip ticket is for reasons of health and there is a specific authorization or approval, by proper authority, of the transportation facility actually used, the requirement of "official reason" is considered to have been satisfied. Moreover, under the circumstances, any excess per diem which resulted by reason of illness appears to be for payment. See B-103968, June 26, 1951.

Paragraph 13(1) of the cited regulations, which relate to sleeping car accommodations for rail travel, provides in part, as follows:

"One standard lower berth when night travel is involved except that the lowest first-class accommodation available may be allowed on certification by the traveler on his travel expense voucher that, at time reservation was made, the accommodation, if superior to a standard lower berth, was the lowest first-class available, which certification will be accepted as prima facie evidence."

The orders directing the travel were not attached to your letter, and the reimbursement voucher on which the prior payment was made is not on file in this Office. However, it has been ascertained informally that the said voucher contains a receipt for the Pullman accommodation utilized, as well as a statement that the accommodation superior to minimum first-class purchased for the return journey was the lowest available at the time reservation was made.

Under the particular facts and circumstances here involved, coupled with the reported explanation and receipt referred to herein and inasmuch as the amount claimed has been administratively approved for payment, the reclaim voucher, if otherwise proper, may be certified for payment.

The voucher and supporting papers are returned herewith.

Sincerely yours,

(Signed) LINDSAY C. WARREN

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Comptroller General
of the United States